

ATTORNEY DOCKET NO. 05145.0009U1
APPLICATION NO. 09/903,028
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Remarks

Claims 1-20 are currently pending in the patent application and claims 18-20 are allowed. The Office Action includes both anticipation and obviousness rejections to claims 1-17 based on U.S. Patent No. 5,883,971 ("Bolle patent"). Applicants respectfully assert that this rejection is unfounded and both Examiner Werner and Examiner Rosario agree, as indicated below.

In a telephone conference on October 7, 2005 with Examiner Werner and Examiner Rosario, differences between the claimed invention and the Bolle patent were discussed. During this conversation, it was agreed that the Bolle patent neither anticipates nor makes obvious the claimed invention because at least one of the claim limitations are neither suggested nor disclosed.

In a subsequent telephone conference with Examiner Rosario on October 11, 2005, he requested that we file this Response after Final Office Action highlighting the substance of the conversation on October 7, 2005. He recommended this course of action since the initial deadline for the filing of an appeal brief is October 11, 2005.

No fee is believed to be due. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.


Dawn V. Stephens, Registration No. 44,355

NEEDLE & ROSENBERG, P.C.
Customer Number 23859
(678) 420-9300 (Telephone)
(678) 420-9301 (Facsimile)

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the Art Group Unit 2621 at (571) 273-8300 in the United States Patent and Trademark Office, Alexandria, VA 22313-1450, on the date indicated below.


Dawn V. Stephens

October 11, 2005
Date